

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 08-01-GMS
	:	
ANTHONY J. LOFINK	:	
	:	
Defendant.	:	

**DEFENDANT'S UNOPPOSED MOTION**  
**FOR CONTINUANCE OF SENTENCING HEARING**

Defendant, Anthony J. Lofink, by and through his attorney, Edson A. Bostic, Federal Public Defender, hereby moves this Court for an Order continuing the sentencing hearing in the instant matter.

In support thereof, it is averred as follows:

1. On February 5, 2008, Mr. Lofink pled guilty to a Three-Count Felony Information, charging him with conspiracy to commit wire fraud in violation of 18 U.S.C. § 1349, conspiracy to commit money laundering in violation of 18 U.S.C. § 1956(h) and with wire fraud, in violation of 18 U.S.C. § 1343.
2. Mr. Lofink is scheduled to be sentenced on May 8, 2008.
3. For mitigation purposes at sentencing, Counsel has retained the services of Forensic Psychiatrist, John S. O'Brien, II, M.D., J.D., to conduct an evaluation and prepare a report regarding Mr. Lofink's mental health and emotional problems.
4. Dr. O'Brien has indicated that he requires additional time in which to complete his

report. Additionally, Counsel would also like to forward the completed Report to the Probation Office to be made part of the Presentence Report in this case.

5. Accordingly, Counsel is requesting that this Court postpone the sentencing hearing, in the instant case for twenty-one (21) days for completion of Dr. O'Brien's Report.

6. Counsel has informed the United States Attorney's Office, in particular Douglas E. McCann, Esquire, of this request, and the government does not oppose the motion.

**WHEREFORE**, it is respectfully requested that this Court grant the herewithin Motion and enter an Order postponing the sentencing hearing until and after June 2, 2008.<sup>1</sup>

Respectfully submitted,

/s/ Edson A. Bostic

EDSON A. BOSTIC

Federal Public Defender

Attorney for Anthony J. Lofink

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Dated: April 2, 2008

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<sup>1</sup>Counsel expects to be out of the office from May 28, 2008 through June 2, 2008 attending the National Seminar for Federal Defenders.

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ANTHONY J. LOFINK	:	
	:	
Defendant.	:	

**ORDER**

Having considered Defendant's Unopposed Motion For Continuance Of Sentencing Hearing;

**IT IS HEREBY ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008, that  
Defendant Lofink's Sentencing Hearing shall be on the \_\_\_\_\_ day of \_\_\_\_\_, 2008,  
at \_\_\_\_\_ a.m./p.m.

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Honorable Gregory M. Sleet  
United States District Court